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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,768	04/19/2005	Tohru Watanabe	81784.0328	6028
26/021 7590 07/07/2008 HOGAN & HARTSON LLP. 1999 AVENUE OF THE STARS SUITE 1400 LOS ANGELES, CA 90067				
EXAMINER				
HSU, AMY R				
ART UNIT		PAPER NUMBER		
2622				
MAIL DATE		DELIVERY MODE		
07/07/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/531,768

**Applicant(s)**

WATANABE, TOHRU

**Examiner**

AMY HSU

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 3/31/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE-US)  
Paper No(s)/Mail Date 1/2/2008.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

1. Applicant's arguments filed 3/31/2008 have been fully considered but they are not persuasive.

Regarding applicant's argument that Claim 1 requires a first and second processing circuit and the first and second processing circuits process the same image data, examiner maintains that Nakajima teaches this limitation. Fig. 2 of Nakajima shows *input image data*, which is the data input to the processing section which is indicated by the single arrows leading from the CCD, reference number 102, into the arrow leading to reference number 130 the preprocessing circuit. This input image data is processed by two separate processing circuits, reference numbers 140 and 160. The claim language is relatively broad and therefore examiner maintains that Nakajima teaches two processing circuits within an image data processing apparatus which process the same image data. Without further limiting or adding more specifics to claim 1, then although Nakajima teaches a brightness signal and color difference signal being input directly to the two processing circuits, it is still the same "input image data" which is coming from the CCD into the preprocessing circuit.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-2 rejected under 35 U.S.C. 102(e) as being anticipated by Nakajima et al. (US 7068314).

Regarding Claim 1, Nakajima teaches an image data processing apparatus for performing a predetermined signal processing on input image data and generating output data for supplying to an external apparatus (*Fig. 2 shows a signal processing system for a camera taking input image data from an image sensor. The output from the signal processing system inherently is supplied to an apparatus external to the processing apparatus such as a viewfinder or display monitor*), the image data processing apparatus comprising: a first processing circuit for performing a first signal processing with respect to image data so as to produce a first set of image data (*Fig. 2 reference number 140*); and a second processing circuit for performing with respect to the image data a second signal processing, which is independent from the first signal processing, so as to produce a second set of image data (*Fig. 2 reference number 160*); wherein the first and second processing circuits execute the first and second signal processing in a parallel manner (*Fig. 2 the first process and the second process*

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*circuits are shown in parallel. Fig. 7 also shows the signal coming from the input being split into the two processing circuits in parallel), and output the first and second sets of image data as output data (Fig. 7 arrows out of reference numbers 40 and 60 indicate the output data). .*

Regarding Claim 2, Nakajima teaches the image data processing apparatus as defined in claim 1, wherein the first set of image data and the second set of image data differ from one another in at least one of bit length, pixel density, or frame rate (*Image data out of the front end circuit, Fig. 2 reference number 103 is digital and one of ordinary skill in the art realizes that the amount of data, or bits necessary for chromatic processing far exceeds the bit length of brightness processing and therefore the image data for the two processes indicated in Fig. 2 differ by bit length.*

***Allowable Subject Matter***

4. Claims 3-6 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art teaches image processing apparatus with two image processing circuits which process data in parallel for output to an external apparatus. However the prior fails to teach the first processing circuit comprising specifically a first filter to generate luminance data with a gamma corrector and first contour emphasize, and the second processing circuit having a second filter and second contour emphasize.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMY HSU whose telephone number is (571)270-3012. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amy Hsu  
Examiner  
Art Unit 2622

ARH 6/27/08

/Lin Ye/  
Supervisory Patent Examiner, Art Unit 2622